

From: Glenda R. Snodgrass
To: Microsoft ATR
Date: 1/12/02 6:06pm
Subject: Proposed settlement of Microsoft anti-trust case should be REJECTED

With regard to the proposed settlement of the Microsoft anti-trust case, may I respectfully state that I believe the proposed settlement should not be approved. Primary faults with this proposed settlement include:

1 - No punishment. In spite of the fact that Microsoft has been judged to be a monopoly, which is a violation of U.S. anti-trust law, the proposed settlement does not punish Microsoft in any meaningful way, nor does it grant any meaningful relief either to consumers or to companies such as Apple, Sun and Netscape which were found to have suffered due to Microsoft's monopolistic practices. Microsoft will continue to enjoy the many fruits of its prior illegal activities.

2 - No relief. The proposed settlement will not require Microsoft to change its normal way of doing business in any meaningful way. Consumers will still be forced to buy Microsoft software, at least the operating system, with every new PC purchase. (If you don't believe this is true, pick up the telephone right now and call Compaq or IBM and try to order a new PC with no operating system installed. They will not sell you one.)

3 - No disclosure. A fair settlement must require Microsoft to reveal the secrets of its file formats to the extent that third-party software companies may create competitive products able to read documents created by Microsoft software and which will interact with Microsoft operating systems as well as Microsoft's own products do. The existence of the Microsoft monopoly over recent years has resulted in the creation of millions of documents in Microsoft-specific file formats; until these documents can be properly used by other software products, the monopoly will not be broken. The current proposed settlement does not provide for such necessary disclosure.

4 - No protection. Likewise, the proposed settlement does not provide for adequate disclosure of network protocols like .NET, which Microsoft plans to use to completely dominate the Internet. Until and unless these protocols are regulated by an independent third party and fully disclosed, only software developers using Microsoft development tools on Microsoft platforms will be able to fully implement the technology.

5 - No security. It is crucial for national security interests that the Microsoft monopoly be halted, firmly, in its tracks. Just as a gene pool must be diverse to survive, the communication infrastructure of this country must have a diverse base to withstand attacks. It is a well-known fact in technical circles that the Microsoft operating systems have myriad serious security holes, making its ubiquity an even greater liability. More secure systems cannot penetrate the market, to diversify the national

infrastructure and provide security through complexity, until the Microsoft monopoly has been broken.

The proposed settlement will not break the stranglehold of the Microsoft monopoly, and thus should be rejected.

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